



United States Government

**NATIONAL LABOR RELATIONS BOARD**

Office of the Executive Secretary

1015 Half Street, SE

Washington, DC 20570

February 25, 2021

William W. Osborne, Esq.  
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Washington, DC 20036  
Counsel for the Petitioner

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Indianapolis, IN 46280-1964  
Counsel for the Employer

Re: Fire Protection Design & Construction, Inc., d/b/a All Fire Solutions, Inc.  
Case 25-RC-267772

Dear Mr. Osborne and Mr. Meyer:

On February 23, 2021, counsel for the Petitioner emailed a letter to the Regional Director for Region 25 in the above-referenced case. According to the Certificate of Service in the letter, the letter was E-Filed with the Executive Secretary's Office. However, while counsel for the Petitioner copied the Executive Secretary to its email, there is no record that the letter was E-Filed with Executive Secretary's Office or any other part of the Agency. In the letter, the Petitioner requests that the Regional Director take various actions in this case, in case 25-CA-268280, and in other unfair labor practice cases, the case numbers of which are not specified.

On February 24, 2021, the Employer filed with the Board a "Motion to Strike Petitioner's Filing of February 22, 2021."<sup>1</sup> The Employer argues that the Petitioner failed to request special leave to file its letter as required by the Board's Rules and Regulations and that the letter raises issues not timely presented to the Regional Director, also in violation of the Rules. Further, the Employer argues that the Petitioner's reference to a settlement agreement in case 25-CA-268280 is improper under Federal Rule of Evidence 408 and constitutes a collateral attack of the Regional Director's decision in the instant case.

The Petitioner's letter will not be forwarded to the Board for consideration. The letter was not filed with the Agency. Further, the letter specifically seeks relief from the Regional Director, not the Board, including relief in at least one unfair labor practice case – case 25-CA-268280 – that is not before the Board.

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<sup>1</sup> I assume the Employer seeks to strike the February 23 letter and that the reference to a February 22 filing is erroneous. There is no record that a pleading in this case was filed on February 22.

As a result, the Employer's motion to strike the Petitioner's letter is moot and also will not be forwarded to the Board for consideration.<sup>2</sup>

Very truly yours,

/s/ Mark G. Eskenazi  
Associate Executive Secretary

cc: Region 25

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<sup>2</sup> The request for review that the Petitioner filed on February 17, 2021 remains before the Board for its consideration.